

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed November 29, 2007 (“Office Action”). Claims 1-43 are pending in the present application. Claims 25-43 are withdrawn from consideration and Claims 1-24 stand rejected.

**Claim Amendments**

Independent Claims 1 and 12 have been amended to include a “roof” or a “cover” that allows the biomass to undergo an anaerobic fermentation process. Support for this amendment can be found in, but is not limited to, paragraph 0106 of the printed publication of the Application. The currently applied references could not disclose such a feature because each is primarily directed to an aerobic process — a process that depends on free oxygen or air.

**New Claims**

Applicant also has supplied new claims 87-88.

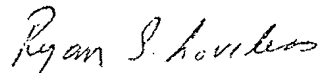
**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Ryan S. Loveless, Attorney for Applicant, at the Examiner's convenience at (214) 953-6913.

Applicants have supplied authorization for an extension of time herewith. If additional fees are necessary, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicant



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Date: March 6, 2009

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